



**US Army Corps  
of Engineers®**  
New England District

696 Virginia Road  
Concord, MA 01742-2751

# PUBLIC NOTICE

Date: March 14, 2000  
Comment Period Ends: April 13, 2000  
File Number: 199700679  
In Reply Refer To: Stephen D. DiLorenzo  
Or by e-mail: stephen.d.dilorenzo@usace.army.mil

Sporting Goods Properties, Inc., 1207 Prospect Drive, Stratford, Connecticut has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act to remove lead shot and target fragments from the inter-tidal and the sub-tidal areas of Long Island Sound. The project is located on the property known as Lordship Gun Club at Stratford Point, Stratford, Connecticut. The work requires the excavation of 7.47 acres of an inter-tidal area and a sub-tidal buffer zone. There will also be remediation work on the upland sections of the property that is not regulated by either section mentioned above. The applicant proposes to implement the work as shown below:

<u>Area #</u>	<u>Acreage</u>	<u>Maximum Depth (feet)</u>	<u>Volume to be removed</u>	<u>Habitat Type</u>
Area 4	2.90	1.6	7,500 cubic Yards	Inter-tidal
Area 5	2.89	3.3	15,400 cubic yards	Inter-tidal
Sub-tidal Buffer Zone <sup>2</sup> (Area 1)	0.44	3.3	1,900 cubic yards <sup>1</sup>	Sub-tidal
Sub-tidal Buffer Zone <sup>2</sup> (Areas 2 & 3)	1.24	2.0	3,000 cubic yards <sup>1</sup>	Sub-tidal
Area 6	5.66	0.7	6,400 cubic yards	Upland*
Stockpiled sediments	NA	NA	3,500 cubic yards	Upland*

\* Areas not regulated by the Corps of Engineers

This project will have an adverse effect on a total of 7.47 acres of Essential Fish Habitat (EFH) - see attached sheet 4 for list of species and life stages. Loss of this habitat will primarily result from the excavation and replacement of sediments to 5.79 acres of inter-tidal habitat and excavating and replacement of sediments to 1.68 acres of a sub-tidal habitat. Loss of this habitat consists of the same species shown on sheet 4 mentioned above. The District Engineer has made a preliminary determination that site-specific impacts may be substantial. Accordingly, the Corps of Engineers will submit an expanded EFH assessment to National Marine Fisheries Service, who in turn will provide conservation recommendations to the Corps. The Corps will coordinate with the applicant regarding implementation of these recommendations. The EFH consultation will be concluded prior to the final decision.

The removal of sediments from the inter-tidal area and the sub-tidal buffer zone will be accomplished using conventional land based equipment in conjunction with the normal advancing and receding tide. The rocks that have been segregated from the unremediated sediment during excavation will be replaced in the general area from which they were removed. The topography and bathymetry in excavated and dredged areas will be returned to their approximate original grades.

<sup>1</sup> Sub-tidal volumes calculated using average depths (Area 1=2.6 feet and Areas 2/3 = 1.5 feet)

<sup>2</sup> Buffer Zone is the area 25 feet beyond low tide.

**This project is located on the USGS MILFORD, CONN quadrangle sheet at UTM coordinates 455700 N and 065900 E.**

**In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Stephen D. DiLorenzo, Senior Project Manager, at (978) 318-8335, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.**

**Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.**

**SEE NEXT PAGE FOR  
DETAILS OF EVALUATION  
FACTORS**

**Robert J. DeSista  
Chief, Permits & Enforcement Section  
Regulatory Branch**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ ( ) Permit from Local Wetland Agency or Conservation Commission.
- ☒ (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

**THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.**

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If you would prefer not to continue receiving public notices, please check here ☐ ( ) and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:

ADDRESS:

## **Summary of Essential Fish Habitat (EFH) Designation**

### **10' x 10' Square Coordinates:**

Boundary	North	East	South	West
Coordinate	41° 10.0' N	73° 00.0' W	41° 00.0' N	73° 10.0' W

**Square Description (i.e. habitat, landmarks, coastline markers):** Atlantic Ocean waters within the square within Long Island Sound affecting south of the following: from the entrance to the Housatonic River (the western shore just east of Crimbo Point, south of Stratford, CT.), west past Stratford Pt., Lordship, CT., Point No Pt., to the tip of Long Beach south of East Bridgeport, CT., including Lewis Gut,. Also affected are Stratford Shoal and Middle Ground.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic salmon ( <i>Salmo salar</i> )			X	X
Atlantic cod ( <i>Gadus morhua</i> )				
haddock ( <i>Melanogrammus aeglefinus</i> )				
pollock ( <i>Pollachius virens</i> )			X	X
whiting ( <i>Merluccius bilinearis</i> )				X
offshore hake ( <i>Merluccius albidus</i> )				
red hake ( <i>Urophycis chuss</i> )	X	X	X	X
white hake ( <i>Urophycis tenuis</i> )				
redfish ( <i>Sebastes fasciatus</i> )	n/a			
witch flounder ( <i>Glyptocephalus cynoglossus</i> )				
winter flounder ( <i>Pleuronectes americanus</i> )	X	X	X	X
yellowtail flounder ( <i>Pleuronectes ferruginea</i> )				
windowpane flounder ( <i>Scophthalmus aquosus</i> )	X	X	X	X
American plaice ( <i>Hippoglossoides platessoides</i> )			X	X
ocean pout ( <i>Macrozoarces americanus</i> )				
Atlantic halibut ( <i>Hippoglossus hippoglossus</i> )				
Atlantic sea scallop ( <i>Placopecten magellanicus</i> )				
Atlantic sea herring ( <i>Clupea harengus</i> )			X	X
monkfish ( <i>Lophius americanus</i> )				
bluefish ( <i>Pomatomus saltatrix</i> )			X	X
long finned squid ( <i>Loligo pealei</i> )	n/a	n/a		
short finned squid ( <i>Illex illecebrosus</i> )	n/a	n/a		
Atlantic butterfish ( <i>Peprilus triacanthus</i> )				
Atlantic mackerel ( <i>Scomber scombrus</i> )	X	X	X	X
summer flounder ( <i>Paralichthys dentatus</i> )			X	
scup ( <i>Stenotomus chrysops</i> )	X	X	X	X
black sea bass ( <i>Centropristus striata</i> )	n/a		X	
surf clam ( <i>Spisula solidissima</i> )	n/a	n/a		
ocean quahog ( <i>Artica islandica</i> )	n/a	n/a		
spiny dogfish ( <i>Squalus acanthias</i> )	n/a	n/a		
tilefish ( <i>Lopholatilus chamaeleonticeps</i> )				
king mackerel ( <i>Scomberomorus cavalla</i> )	X	X	X	X
Spanish mackerel ( <i>Scomberomorus maculatus</i> )	X	X	X	X
cobia ( <i>Rachycentron canadum</i> )	X	X	X	X
sand tiger shark ( <i>Odontaspis taurus</i> )		X		